



THE SECRETARY FOR HUMAN RESOURCES
COMMONWEALTH OF KENTUCKY
FRANKFORT 40601

May 19, 1980

Mr. Edward C. Monahan
Assistant Public Advocate
Office for Public Advocacy
State Office Building Annex
Frankfort, Kentucky 40601

Dear Mr. Monahan:

This is in reply to your letter dated May 14, 1980 in which you ask whether this Department or any other state agency has medical and mental health professionals "who can appropriately assist the defense in the investigation of matters relevant to the defense." You state that you are not looking for professionals who are aligned with the prosecution or the courts.

This Department maintains the Grauman Forensic Psychiatry Unit on the grounds of Central State Hospital in Louisville, Kentucky, to assist courts in the evaluation of criminal defendants for both the competency to stand trial (KRS 504.040) and for the determination of existence of mental disease or defect at the time of the alleged criminal act (KRS 504.020, .030 and .050). These evaluations are provided pursuant to court order and are supplied as a service to the court, and not to either the prosecution or the defense.

After checking with both my program and legal staffs, I have determined that this Department will not be able to assist you with your request. To do so, in this instance, could compromise the integrity of our program to provide effective evaluations to the courts of Kentucky. If in this or any other case you desire such an objective evaluation, please contact the staff of the Forensic Unit, 2108 Lakeland Road, Louisville, Kentucky 40223 (502-245-9738).

To reiterate, this Department cannot allow itself to be used as the tool for either side in criminal matters but must maintain an objective stance. Thank you for your inquiry into this matter. Please feel free to contact me if you have any further questions.

Most sincerely,

W. Grady Stumbo, M.D.

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Secretary

WGS:jch